

1 **BOARD OF SELECTMEN MINUTES**  
2 **MARCH 28, 2011**  
3  
4

5 Chairman James O'Mara called the meeting to order at 6:30 p.m. Selectmen present: Dwight Brew,  
6 Bruce Bowler, George Infanti and Thomas Grella. Also present Town Administrator Gary MacGuire and  
7 Executive Assistant Sharon Frydlo.  
8

9 Mr. Infanti was asked to lead everyone in the Pledge of Allegiance.  
10

11 **Citizens' Forum**  
12

13 Mr. O'Mara noted that the agenda had changed in that initially the Girls High School Basketball Team  
14 was invited, but they were celebrating at a banquet and Souhegan High School Principal Jon Ingram was  
15 present in their place.  
16

17 Mr. Ingram thanked the Board and remarked that he wanted to put faces with names. He had hoped to  
18 visit them in the fall, but they were all going through the budget process. In particular, he wanted to  
19 thank the Selectmen and the townfolks for their support. He would like to find ways of partnering with  
20 the Town community and the School community and looked to strengthen this. He would be looking  
21 toward the leadership of the two towns in order to not miss opportunities or opportunities they need to  
22 support. He offered an invitation to the Board and their constituents to visit the school as there are some  
23 misconceptions about it.  
24

25 Mr. Infanti commented that his experience of the school over the years has been very positive. He cited  
26 the fall road cleanup that Maggie Paul helped organize with the students that had helped the Town  
27 extremely well. He spoke about an Interaction Club within the Rotary and the interaction between the  
28 students and the members during a spaghetti dinner was absolutely great. Mr. Grella mentioned that his  
29 wife has been involved with flags and wreaths in the Cemeteries and some of the kids have helped put  
30 them up and take them down. They have also helped veterans clean up their yards in the fall and it  
31 compliments the School very well. Mr. Ingram thanked them for sharing this with him. Mr. Brew noted  
32 that even if the Boards may be different entities, he thought it important that they work together and he  
33 was looking forward to doing this with the School District. Mr. O'Mara thanked Mr. Ingram for coming  
34 in.  
35

36 **Administrative Business**  
37 **Approval of Minutes for March 14, 2011**  
38

39 *Mr. Infanti moved to approve the minutes of March 14, 2011, second by Mr. Bowler. Vote:*  
40 *Unanimous.*  
41

42 **Approval of Payroll Register**  
43

44 *Mr. Infanti moved to approve the Payroll Manifest dated March 22, 2011 for the pay period ending on*  
45 *March 19, 2011 in the dollar amount of \$161,576.27, second by Mr. Bowler. Vote: Unanimous.*  
46

47 **Approval of Accounts Payable Register**  
48

49 *Mr. Brew moved to approve the Accounts Payable Manifest dated from March 15, 2011 to March 28,*  
50 *2011 in the dollar amount of \$115,931.91, second by Mr. Bowler. Vote: Unanimous.*  
51

52 **Town Administrator Report**  
53 **Update on Voting Status for BOS Liaison to Commissions**  
54

55 Mr. MacGuire reported that there was no ex-officio member for the Conservation Commission because  
56 they were not a Land Use Board. There were two choices – have seven members with a voting member  
57 from the Board. During his time, the Selectman has typically been a Liaison and not included in the  
58 seven members and not a voting member, but this does not preclude making a Selectman a member.  
59 Mr. Brew noted he asked this question for clarification and offered his opinion that last year, when he was  
60 appointed to the ACC he was a Liaison and it would be his preference to continue in this regard. He  
61 believed that some of the Commission's issues they deal with also come before the Board of Selectmen  
62 and whoever is the Liaison would be able to weigh in on the matter.  
63

64 Mr. MacGuire reported that the contract for Assessing was up June 30 and he put out a request for  
65 proposals that were due back in two weeks. This was an unusual situation they were up against because  
66 of the re-valuation. He will bring this to their attention as soon as possible.  
67

68 **Discussion Items**  
69

70 Mr. O'Mara remarked that under this category they may have items as routine as the Annual Easter Egg  
71 Hunt, but would allow for more research before it became an action item.  
72

73 **Request for Use of Town Commons for Easter Egg Hunt**  
74

75 Mr. MacGuire explained that he did not know the history of it, but the Amherst Junior Women's Club has  
76 scheduled the use of the Common on April 16, 2011 from 7:30 a.m. to 1:00 p.m. The event itself begins  
77 at 10:00 a.m. They had been asked to get the Board's approval under their new Policy. The only issue  
78 was the weather and hopefully the Common will be dried up. ***Mr. Bowler moved to approve this item,***  
79 ***second by Mr. Grella. Vote: Unanimous.***  
80

81 **Request for Use of Town Commons for End-of-Summer Reading Program BBQ**  
82

83 Mr. MacGuire reported this was a request from the Town Library for their third annual summer barbecue  
84 scheduled for Thursday, August 18 from 5:00 p.m. to 7:00 p.m. and has been intentionally scheduled on  
85 the same day as the Farmer's Market. ***Mr. Infanti moved approve this item, second by Mr. Brew. Vote:***  
86 ***Unanimous.***  
87

88 **Re-Appoint Brian Gleason as Town Health Officer**  
89

90 Mr. MacGuire clarified that the Department of Health & Human Services actually makes the appointment  
91 upon the recommendation of the Board of Selectmen. After a few questions raised, Mr. Gleason told the  
92 Board that the duties and responsibilities were pretty much carved in stone. He spoke at length of what  
93 his duties encompassed and noted that in the three years, he had encompassed almost all of the categories.  
94 Over the three year period this has helped them move ahead and had gone in a different direction than in  
95 the past. ***Mr. Bowler moved to recommend Brian Gleason to the DHHS, second by Mr. Grella.***  
96 Discussion: Mr. Brew wanted to understand the whole picture, especially where they have employees  
97 with multiple roles and have a chart showing this. Mr. O'Mara remarked that they can narrow the scope  
98 and ask to have a work chart for their next meeting. Mr. Infanti talked about a job description and  
99 remarked that he didn't think they will have many people looking for this job. Mr. Bowler agreed to  
100 withdraw his motion if it would make everyone feel better. Mr. Brew indicated he was comfortable  
101 voting on this. Mr. O'Mara asked who he reported to. Mr. Gleason advised to the Director of Health &

Human Services. He told Mr. O'Mara that he could condemn a building basically if it had mold. ***Vote: Unanimous.***

Mr. O'Mara asked Gary if he would have a work chart from the Department Heads for their next meeting. He replied yes, but there was a starting point and he has no problem sharing what they currently have and an area to revisit. They also have their wage and salary survey going on. Mr. Brew would like a work chart for the next meeting on who reports to whom.

Sharon asked the Board's pleasure on interviews for Boards and Commissions. Mr. O'Mara asked that she begin scheduling them for the next meeting.

Mr. Bowler also asked for future meetings, when would they like to schedule in Senator Bragdon and the other State Representatives - perhaps they should do it soon. He gave the dates Senator Bragdon was available.

Mr. O'Mara remarked that if there was any member of the Board, who had any questions, on any subject, to call Gary and Gary in turn will call him. He would like business to be conducted through Gary, so that no one can insinuate that they were doing business outside of their meetings. He thought they should send out an invitation for the first meeting of next month to meet with the State Representatives.

Mr. Grella asked about a tentative date for the Girls Basketball Team. Mr. O'Mara suggested they work around Senator Bragdon's schedule and put together questions. Mr. Bowler indicated that in the past they come in and talk about issues pertaining to the State that affect the Towns. Mr. O'Mara remarked that with the number of changes to the DHHS, he believed their Welfare Officer may have some questions. Mr. Infanti indicated that she has been very fair to everyone and was also looking out for the Town's budget. He noted that, in this particular case, the Welfare Officer does not have to stay within the budget because the Town has an obligation to help anyone who qualifies.

### **George Coddington – Zero Tolerance for Litter Campaign**

Mr. Coddington remarked that he had given the Board a list of slogans from Souhegan High Schools Students and brought them forward again. He wondered if the Board had picked a slogan, irregardless of whether the slogan appeared on a sign as he had suggested. He mentioned that if none of the slogans "grabbed anybody", he would go back to Maggie Paul. The second matter he wanted to discuss was the timeline for the next step in getting the signs up and he had estimates for the Board. The total for 16 customized signs plus posts would be approximately \$1100 to \$1500. Mr. Coddington noted that he would be willing to raise the funds.

Mr. Bowler presented an idea of a proposed sign with the Town seal and asked if there were any funds from New Hampshire the Beautiful that they had dealt with. DPW Director Bruce Berry was unaware of any that existed. He noted that if the Town's logo was added, it increased the cost and he was not prepared to answer the question to this.

Mr. O'Mara mentioned that the budget has a contingency line that they have not touched and would the Board support Mr. Coddington's issue in "Keeping Amherst Clean". Mr. Brew's thought that whatever they do, they want to make sure they get the point across and get the attention of as many people as possible and if the Board was comfortable with the wording, so was he. Mr. O'Mara wondered if they want to acknowledge some ownership by the young people who submitted their ideas. Mr. Infanti noted what Mr. Bowler suggested was a combination of the first two slogans on the list.

After further discussion Mr. O'Mara asked Gary to work with Mr. Coddington and Director Berry to contact the State to see how much they would charge the Town for placing no littering signs on State roads along with putting together a "mini budget" for the next meeting. Mr. MacGuire suggested having an add-on sign in case there is a change in the RSA regarding littering. Liz Overholt remarked that she had done many signs for many reasons and they needed to focus on who their audience was. If they want to get anyone's attention the main message sign needs to be big enough for someone who is driving to see.

Mr. O'Mara asked if they were in agreement that the current ordinance covers exactly what they want – debris, mulch, etc. Mr. Infanti indicated that from what he read, he believed it did. Mr. Coddington thought they could close the matter now and he appreciated the Board's help with this. He mentioned that Maggie and the students have some big plans for Earth Day and while he was unsure exactly what it was, it was to be a big cleanup. Mr. O'Mara thanked him for his efforts and by the next meeting they will see a modest budget and a sample sign.

### **Board Liaisons to Departments**

Mr. O'Mara advised the Board had put this topic on hold because there was a division between Board members. He opened this up for discussion of the change of practice of having a year-round Liaison to the Departments. Mr. Brew believed that having a Liaison to the Departments was a good idea and allows focus for a short period of time. However, stepping back, he viewed Gary as the head of the Town Departments and would like communications go through him or at least be aware of them, although there will be situations where he wouldn't need to be involved. Whether they realize it or not, the various Department Heads look to the Board as being their supervisor or their boss. He believed having matters go through Gary makes a lot of sense and he would be in favor of this both from a Department Head standpoint, thereby making sure all the Board members receive the same input at the same time.

Mr. Infanti agreed and at budget time there will be certain Board members having interest in more Departments than others. He believed it important that a Department, when meeting with Ways & Means, have a Board member present. On a day-to-day basis, they would be better served doing other things within the Committees. He told Mr. Grella, that all of the Commissions and Boards will remain having Liaisons. He wanted to make sure that each of the Departments were represented and Gary will not have much more of a workload than he already has.

Mr. Bowler indicated he was against this two weeks ago and he was still against it. When there were budget presentations with Ways & Means, they would have a better understanding where the Department stood. He would vote "no". Mr. Grella was torn between two trains of thought and gave an example of meeting with a Department, seeing problems developing and it would be easier at budget time to be able to request another vehicle. He had seen no problem with the way they have been doing this and he saw no need for a change. Mr. Bowler suggested that if they continue with this process, they should rotate the Departments more than they had in the past.

Mr. O'Mara remarked that he was looking at this strictly as organizational. "If we tend to hold your feet to the fire, you need to be put in a position where you can exercise your authority over those Departments. I have heard of no time when someone picked up the phone and said, I am a Selectman, you need to do this". He indicated he had no problem picking up a phone and talking to Gary. They were counting on the Department Heads to keep the Town Administrator apprised, should they go in this direction. By the next meeting they will be coming in with goals in writing. He noted he was inclined to accept a motion at this time to eliminate the Department Head Liaison except during the budget period for Police, Fire, EMS, Communications, Highway and Recreation. ***Mr. Infanti made this motion, second by Mr. Brew.*** Discussion was held on whether or not there should be a Liaison to the Recreation Commission. The

feeling was that there should be one, the same as a Liaison to the Cemetery Trustees. ***Vote: 3-2, Mr. Bowler and Mr. Grella opposed.***

***Mr. Bowler moved to adopt the Board members' assignments to Boards and Commissions, second by Mr. Grella. Vote: Unanimous.*** They are as follows: General Government: Personnel – Mr. Infanti; CIP – Mr. Brew; Planning & Zoning: Conservation – Mr. Brew; Planning Board – Mr. Infanti; Historic District – Mr. Grella; Heritage Commission – Mr. Grella; Public Works: Cemetery Trustees' Liaison – Mr. Infanti; Highway Safety – Mr. Grella; Town Buildings – Mr. Bowler; Stormwater II – Mr. Bowler; Road Commission – Mr. Grella; Recreation & Culture: Recreation Commission – Mr. O'Mara; Library Trustees – Mr. Brew; School Districts: Amherst – Mr. O'Mara; Souhegan – Mr. O'Mara; Other: CIC Committee – Dwight Brew.

#### **Approve**

Mr. O'Mara announced this category has been changed from "Approve & Sign" to just "Approve". His suggestion was after Bruce had read each recommendation there was "down time" as Board members signed each abatement and thought signing the abatements at the end of the meeting would be better.

#### **Police Department Unanticipated Reimbursement**

***Mr. Bowler moved to accept and expend \$756.03, second by Mr. Grella.*** Discussion: Mr. MacGuire advised that the difference of \$756.03 and the \$770.00 in the Board's packet was that the State had passed on a previous commitment and it should be \$770.00. ***Mr. Bowler moved to withdraw his motion and Mr. Grella withdrew his second. Mr. Bowler moved to accept and expend \$770.00, second by Mr. Bowler. Vote: Unanimous.***

#### **Abatements**

After reading the recommendation from MRI, ***Mr. Bowler moved to approve an abatement on M/L 4-58-9 in the amount of \$837.63, second by Mr. Infanti. Vote: Unanimous.***

After reading the recommendation from MRI, ***Mr. Bowler moved to approve an abatement on M/L 8-77-32 in the amount of \$757.76, second by Mr. Infanti. Vote: Unanimous.***

After reading the recommendation from MRI, ***Mr. Bowler moved to approve an abatement on M/L 4-66 in the amount of \$669.70, second by Mr. Brew. Vote: 4-1, Mr. Infanti abstained.***

After reading the recommendation from MRI, ***Mr. Bowler moved to accept the withdrawal of an abatement request on M/L 2-87-75, second by Mr. Infanti. Vote: Unanimous.***

After reading the recommendation from MRI, ***Mr. Bowler moved to deny an abatement on M/L 3-86-27, second by Mr. Infanti. Vote: Unanimous.***

#### **Land Use Change Tax**

***Mr. Bowler moved to approve a L.U.C.T. for M/L 4-147-16 in the amount of \$18,700.00, second by Mr. Infanti. Vote: Unanimous.***

254 **Veterans Tax Credit**

255  
256 After reading the recommendation from MRI, *Mr. Bowler moved to deny a Veterans Tax Credit to the*  
257 *owner of M/L 18-19-4, second by Mr. Infanti. Vote: Unanimous.*  
258

259 **Elderly/Disabled Tax Exemption**

260  
261 After reading the recommendation from MRI, *Mr. Bowler moved to deny an Exemption on M/L 2-166-*  
262 *42, second by Mr. Infanti. Vote: Unanimous.*  
263

264 **Old Business**

265 **DPW Road Reconstruction Progress Report**

266  
267 Mr. O'Mara apologized to Director Berry for having him wait until this time to present his report, since  
268 he was sure he was at work very early in the morning. He asked that in the future to please place any  
269 Department Head under the Town Administrator's Report.  
270

271 Mr. Berry gave a Power Point presentation. The first slide was a "Recap of the History" citing the fact  
272 that the Selectmen adopted a list of "bond roads" in January of 2010 and the bond was approved by the  
273 voters in March 2010. The first road selected was Spring Road that had an average 56 PCI (Pavement  
274 Condition Index). He noted that the "Contract Document" template put together for Spring Road, can  
275 with edits, be used throughout the reconstruction process.  
276

277 The second slide, "2010 Lessons Learned", indicated that the goal to reduce mobilization costs, was to  
278 group area roads and reconstruct them together. However, it became apparent that the complexity of  
279 some repairs and available resources made grouping or hitting a target number of miles per year or a  
280 specific budget number, impractical. "More Lessons Learned" slide indicated that the Spring Road and  
281 Amherst Street informational meetings, while not well attended, will be continued throughout the bond  
282 process. There will be postings on the Town webpage, as well as mailings. They will also continue to  
283 survey the area residents at the completion of a project.  
284

285 Director Berry presented a "Road Reconstruction Update for the Summer of 2011" that will include Mack  
286 Hill Road (from Jones to Sprague), Mont Vernon Road (between Eaton and Green Roads) and the paved  
287 section of Sprague Road. "Bidding of Engineering ... a very early project step" indicated that on October  
288 15, 2010 an RFP was posted for engineering and that they opened three proposals on October 29. On  
289 January 27, 2011 each firm received a 79 page "Contract Document and Technical Specification"  
290 package. He noted that on October 29 the proposals were found to be too open ended and could violate  
291 the Town's bidding policy. The "Engineering Selection Process" indicated that on February 15, 2011  
292 three firms were interviewed by a team – Fieldstone Land Consultants, Meridian Land Services and  
293 Keach-Nordstrom Associates. Keach-Nordstrom was the unanimous choice and is now assisting them on  
294 Mack Hill / Sprague Roads.  
295

296 Three slides showed a "Sample Excerpts from Mack Hill Contract Document"; the amount of material  
297 that will be included in the Mack Hill / Sprague Road project and "Additional Aspects of the Mack Hill  
298 Project". There were several slides showing areas of the Mont Vernon Road as well as a list of "Non-  
299 Bond Roadwork under Evaluation / Design" to be done.  
300

301 Director Berry gave the Board an update on the "Red Listed Bridges". He noted the request for aid had  
302 been filed with the Commissioner of NHDOT and they acknowledged they were processing the Town's  
303 request. Within the next several weeks a Request for Qualifications will be posted and the process of  
304 selecting an engineering firm will start. A slide indicated that while the selected engineering firm will

assist the Town in deciding which bridge project is undertaken first, it is anticipated it will be the Manchester Road Bridge which is currently posted at a ten ton limit.

He also noted that the initial 2012 road planning process was to have engineering work for next year's projects commence this summer and the roads currently on the plan were Lyndeborough Road and Severance Bridge Road. It was his hope that this year they will break ground on Mack Hill in May or June. There were two slides – one showing Lyndeborough Road from Amherst Street to Winding Hollow and Lyndeborough Road from Carol Ann Lane to Candlewood Drive.

Director Berry advised that the Town roads had been evaluated three times in the last five summers by three different teams of engineering interns – 2006, 2008 and 2010 using RSMS. They are evaluated for alligator cracking, longitudinal/transverse cracking, edge cracking, patching and potholes, roughness, rutting and drainage.

Mr. Infanti indicated that both he and Mr. Bowler had concerns about road sections and the list which is what would be done with the road bond money. Mr. Berry advised that some roads fall into this and others can't. One group fell into it and they need to do the worst ones as quickly as possible. Mr. Bowler asked if they could get the list on the website replaced with the new one. He noted that Owen to Tanglewood made the list and is part of the bond, as well as Boston Post near the Trailer Park. People may not have voted for it if they saw the different sections on the list. Mr. Berry asked him to recall that when he emailed him the list, he told him it was a draft and there were some changes to be made. Mr. Bowler mentioned that he drove some of the back roads after a S.R.L.D. meeting and the ones being done were definitely needed.

Director Berry told Mr. Grella that the PCI on Amherst Street wouldn't be updated until the next evaluation. They have been using RSMS all along. The computer program was begun by UNH and fell to a new entity and what they were looking at now requires them to take the data back to them. There was nothing hidden when the list was given to the Board and the bond was put together. Mr. O'Mara indicated they were looking at the urgency as a whole within the scope of the bond and were using non-bond money to get to the worse roads.

Liz Overholt mentioned that the answer she gives people, when asked when their road was going to be done, was within the next 6-7 years. She said she tries to give Bruce some slack because he knows the process. She asked that they give Bruce some support and let him do his job. When they are driving around and going over frost heaves doesn't necessarily mean the road needs to be redone.

Mr. Berry briefly mentioned a list of roads being constructed, the length of sections being done and the estimated costs.

#### **New Business**

Mr. Infanti reported that there were Board questions regarding the revaluation at a past meeting. He will be meeting again with MRI, Vision and the State on Friday at 9:00 a.m. and will get more information for them.

#### **Non-Public Session**

*Mr. Bowler moved to go into non-public session at 8:20 p.m. under RSA 91-A:3 II (b), second by Mr. Grella. Roll call vote: Mr. Bowler – yes; Mr. Grella – yes; Mr. Infanti – yes; Mr. Brew – yes; Mr. O'Mara – yes.*

356 The Board of Selectmen, Town Administrator and Jay Dinkel of the Amherst Land Trust discussed  
357 available land.  
358  
359 *A motion was made by Mr. Bowler, second by Mr. Grella to re-enter public session at 8:55 p.m. Roll*  
360 *call vote: Mr. Bowler – yes; Mr. Grella –yes; Mr. Infanti – yes; Mr. Brew – yes; Mr. O’Mara – yes.*  
361  
362 In non-public session no motions were made and no votes were taken.  
363  
364 *Mr. Infanti moved to adjourn the meeting at 8:57 p.m., second by Mr. Brew. Vote: Unanimous.*  
365  
366 Respectfully submitted,  
367  
368  
369 Sharon L. Frydlo  
370 Executive Assistant